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KAREN BUZINSKI

Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	St. Martin, et al.)	Examiner: Keith O'Neal Robinson
)	
Serial No.:	10/778,018)	Art Unit: 1638
)	
Filed:	February 12, 2004)	Confirmation No.: 3349
)	
For:	IDENTIFICATION OF SOYBEANS)	Attorney Docket No.: 22727.04212
	HAVING RESISTANCE TO)	
	PHYTOPHTHORA SOJAE)	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
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Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. §1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. §1.97(h)), or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

II. Identification of Time of Filing the Accompanying Information Disclosure Statement



The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). As such it is believed that there is no fee due.

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- ☒ The information disclosure statement submitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113, or a notice of allowance under §1.311, whichever occurs first, but before or simultaneously with, the payment of the issue fee.

III. Non-English References

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:
- ☐ No English translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.
- ☐ Concise Explanation of Non-English Language Listed Information Items. (Attached)

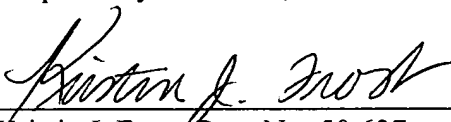
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- ☒ A check in the amount of \$180 is enclosed to cover the filing fee.
- ☒ Charge any fee deficiencies or credit any overpayment to Deposit Account No. **03-0172**, order number **22727/04212**.

Respectfully submitted,

Date:

June 13, 2006



Kristin J. Frost, Reg. No. 50,627

Telephone: (216) 622-8895

Customer No.: 24024



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(Use as many sheets as necessary)

Sheet	1	of	4
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Complete if Known

Application Number	10/778,,018
Filing Date	February 12, 2004
First Named Inventor	St. Martin et al.
Art Unit	1638
Examiner Name	Keith O'Neil Robinson
Attorney Docket Number	22727/04212

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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Examiner Signature		Date Considered	
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/778,018		
		Filing Date	February 12, 2004		
		First Named Inventor	St. Martin et al.		
		Art Unit	1638		
		Examiner Name	Keith ONeal Robinson		
Sheet	2	of	4	Attorney Docket Number	22727/04212

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Burnham, K.D., Quantitative trait loci for partial resistance to Phytophthora sojae in soybeans, Abstract, Crop. Science 92:S11, (2002).	
		OSU-OARDC Pages, Plant Germplasm Release Guidelines, pgs 11-18	
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		Anderson, T.R., and Buzzel, R.I., 1992, Inheritance and linkage of the Rps7 gene for resistance to Phytophthora rot of soybean, Plant Dis. 76: 958-959.	
		Athow K.L., Laviolette, F.A., Mueller, E.H. and Wilcox, J.R., 1980, A new major gene for resistance to Phytophthora megasperma var. sojae in soybean, Phytopathology 70:977-980	
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Attorney Docket Number	22727/04212

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of

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Briggs, F.N., Knowles, P.F., Introduction to Plant Breeding, Reinhold Publication Corp., New York, NY 1967	
		Buzzell, R.I. and Anderson, T.R., 1981, Another major gene for resistance to Phytophthora megasperma var. sojae in soybeans, Soybean Genet. Newsl. 8:30-33.	
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		Dorrance, A.E., McClure, S.A. and de Silva, A., 2003 Pathogenic diversity of Phytophthora sojae in Ohio soybean fields, Plant Dis. 87:139-146.	
		Erwin et al., eds, Phytophthora, 1983, General resistance mechanisms against P sojae include structural features of the host, preformed chemical inhibitors, induced structural	
		(continued from previous line) barriers, hypersensitive reactions and phytoalexins.	
		Kaitany, R.C., Hart, L.P. and Safir, G.R., 2001, Virulence composition of Phytophthora sojae in Michigan, Plant Dis. 85:1103-1106.	
		Kilen, T.C., Hartwig, E.E. and Keeling, B.L., 1974, Inheritance of a second major gene for resistance to Phytophthora root rot in soybeans, Crop. Sci. 14:260-262.	
		Kurle, J.E. And E.M. ElAraby, 2001, Changing composition of Phytophthora sojae races in Minnesota soils, Phytopathology 91:S51.	
		Leitz, R.A., G.L. Hartman, W.L. Pedersen and C.D. Nickell, 2000, Races of Phytophthora sojae on Soybean in Illinois, Plant. Dis. 84:487.	

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Considered

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	First Named Inventor	St. Martin et al.
	Art Unit	1638
	Examiner Name	Keith ONeal Robinson
	Attorney Docket Number	22727/04212

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		Mueller, E.H., Athow, K.L., and Lavolette, F.A., 1978, Inheritance of resistance to four physiologic races of <i>Phytophthora megasperma</i> var. <i>sojae</i> , <i>Phytopathology</i> 68:1318-1322.	
		Schmitthenner, A.F., 1985, Problems and progress in control of <i>Phytophthora</i> root rot of soybean, <i>Plant Dis.</i> 69:362-368.	
		Schmitthenner A.F. Hobe, M. and Bhat, R.G., 1994 <i>Phytophthora sojae</i> races in Ohio over a 10-year interval, <i>Plant Dis.</i> 78-269-276.	
		Tijssen, Overview of Principles of Hybridization and the Strategy of Nucleic Acid Probe Assays, <i>Laboratory Techniques in Biochemistry and Molecular Biology-Hybridization with</i>	
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		Wrather, J.A., Anderson, T.R., Arsyad, D.M., Tan, Y., Ploper, L.D., Porta-Puglia, J.A., Ram, H.H. and Yorinori, J.R., 2001, Soybean disease loss estimates for the top ten	
		(continued from previous line) soybean-producing countries in 1998, <i>Can. J. Plant Pathol.</i> 23:115-121.	
		Yang, X.B., Ruff, R.L., Meng, X.Q. and Workneh, F., 1996 Races of <i>Phytophthora sojae</i> in Iowa soybean fields, <i>Plant Dis.</i> , 80:1418-1420.	

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